

S.R. 731 - By Senator Herring: Extending welcome to John Hardesty.

S.R. 732 - By Senator Kothmann: Commending Greater San Antonio Builders Association.

S.R. 733 - By Senator Schwartz: Extending welcome to Keith Douglas.

S.R. 734 - By Senator Moore: Extending appreciation to John W. Hancock and J. Bruce Hancock.

S.R. 735 - By Senator Clower: Extending welcome to Mrs. Robert L. Bryant.

S.R. 736 - By Senator Herring: Urging University of Texas Board of Regents to take necessary steps to provide a Faculty Center.

### RECESS

On motion of Senator Aikin the Senate at 12:14 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

### APPENDIX

#### Sent to Governor

May 9, 1973

S.B. 264

S.B. 633

### SEVENTY-FIRST DAY

(Continued)

(Thursday, May 10, 1973)

#### After Recess

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Hightower.

### LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Hightower in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bill Calendar in accordance with the provisions of S.R. 291.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

S.B. 291 (Mauzy) (31-0) (31-0)

C.S.S.B. 369 (Gammage) (31-0) (31-0)

- S.B. 370 (Gammage) (31-0) (31-0)
- S.B. 529 (Schwartz) (31-0) (31-0)
- S.B. 634 (Gammage) (31-0) (31-0)
- S.B. 692 (Ogg) (29-2) Sherman and Aikin "Nay" (29-2) Sherman and Aikin "Nay"
- S.B. 698 (Brooks) (31-0) (31-0)
- S.B. 785 (Brooks) (31-0) (31-0)
- C.S.S.B. 791 (Gammage) (30-1) Clower "Nay" (30-1) Clower "Nay"
- S.B. 805 (Meier) (31-0) (31-0)
- C.S.S.B. 891 (Jones) (31-0) (31-0)
- S.B. 902 (Santiesteban) (30-1) Herring "Nay" (30-1) Herring "Nay"
- S.B. 905 (Braecklein/Schwartz) (30-1) Clower "Nay" (30-1) Clower "Nay"
- S.B. 906 (Harrington) (31-0) (31-0)
- S.B. 913 (Schwartz) (31-0) (31-0)
- S.B. 915 (Schwartz) (30-1) Meier "Nay" (30-1) Meier "Nay"
- S.B. 919 (Andujar) (31-0) (31-0)
- S.B. 920 (Harris) (31-0) (31-0)
- S.B. 939 (McKnight) (31-0) (31-0)
- C.S.S.B. 942 (Schwartz) (31-0) (31-0)
- S.B. 943 (Ogg) (29-2) Meier and Herring "Nay" (29-2) Meier and Herring "Nay"
- S.B. 962 (Longoria) (31-0) (31-0)
- S.C.R. 76 (Schwartz) (vv)
- S.C.R. 87 (Schwartz) (vv)
- S.C.R. 90 (Schwartz) (vv)
- H.B. 35 (Santiesteban) (31-0) (31-0)
- H.B. 131 (Schwartz) (31-0) (31-0)
- H.B. 209 (Kothmann) (31-0) (31-0)
- H.B. 549 (Hightower) (31-0) (31-0)
- H.B. 709 (Longoria) (31-0) (31-0)

H.B. 758 (Snelson) (31-0) (31-0)

H.B. 759 (Snelson) (31-0) (31-0)

H.B. 892 (Moore) (31-0) (31-0)

H.B. 894 (Moore) (31-0) (31-0)

H.B. 913 (Snelson) (31-0) (31-0)

H.B. 1082 (Blanchard) (31-0) (31-0)

H.B. 1231 (Brooks) (28-3) Clower, Snelson and Mauzy "Nay" (28-3)  
Clower, Snelson and Mauzy "Nay"

H.B. 1232 (Brooks) (28-3) Clower, Snelson and Mauzy "Nay" (28-3)  
Clower, Snelson and Mauzy "Nay"

C.S.H.B. 1481 (Brooks) (31-0) (31-0)

H.B. 1548 (Traeger) (31-0) (31-0)

H.B. 1571 (Schwartz) (31-0) (31-0)

H.B. 1581 (Schwartz) (31-0) (31-0)

H.B. 1585 (Schwartz) (30-1) Snelson "Nay" (30-1) Snelson "Nay"

H.B. 1638 (Aikin) (31-0) (31-0)

H.C.R. 113 (Clower) (vv)

The following bills and resolutions were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following bill number, as well as vote on suspension of Constitutional Three-Day Rule and final passage.)

S.B. 205 (Longoria)--

Senator Longoria offered the following Committee Amendment to the bill:

Amend S.B. 205 by adding the following in Section 2 at the end of line 7, page 3:

" . . . which obligations have stated maturity dates or are callable prior to maturity not more than ten years after the date of delivery of such refunding bonds."

The Committee Amendment was read and was adopted.

Senator Longoria offered the following Committee Amendment to the bill:

Amend S.B. 205 by adding the following in Section 2 on line 10 after the semicolon:

"provided that obligations will not be refunded hereunder by issuers unless such refunding results in the ability of the issuer to issue additional interest bearing obligations that could not have been issued but for such refunding due at least in part to provisions in the obligations being refunded or resolutions ordinances or orders pertaining to such obligations being refunded which would

have required a record of earnings or income in excess of that available to the issuer, and would have thus prevented the issuance of such additional interest bearing obligations, . . . ."

The Committee Amendment was read and was adopted.

Senator Longoria offered the following Committee Amendment to the bill:

Amend S.B. 205 by deleting Section 1 and substituting therefor the following:

"Section 1. The term 'issuer,' as used in this Act shall mean and include any city in the State of Texas which owns the water, sewer and electric utility systems serving such city and which had a population not exceeding 60,000 according to the last preceding federal census, and any hospital authority."

The Committee Amendment was read and was adopted.

Senator Longoria offered the following Committee Amendment to the bill:

Amend S.B. 205 by deleting in Section 6(a), page 7, the following language on lines 17 and 18:

". . . together with an additional amount . . ."

and substituting therefor the following:

". . . and (3) and additional amount, if necessary, which shall be sufficient together with such other deposits to pay the principal of and interest on the obligations being refunded, . . ."

The Committee Amendment was read and was adopted.

Senator Longoria offered the following Committee Amendment to the bill:

Amend S.B. 205 by deleting the caption and substituting therefor the following:

"an act defining the term 'Issuer' to mean and include any city in the State of Texas which owns the water, sewer and electric utility systems serving such city and which had a population not exceeding 60,000 according to the last preceding federal census, and any hospital authority; authorizing the governing body of any issuer to refund any interest bearing obligations and/or interest coupons appertaining thereto, issued by or on behalf of said issuer, by the issuance of refunding bonds; providing for the manner in which said refunding bonds may be issued and delivered, and for certain restrictions in connection therewith; providing for the approval of said refunding bonds by the Attorney General and their registration by the Comptroller of Public Accounts; providing for the sale of said refunding bonds for cash to provide the money required to pay, retire, or redeem, at or prior to maturity, the obligations being refunded; providing in connection with the sale of refunding bonds for the deposit of money or certain obligations of the United States of America with the State Treasurer of the State of Texas in an amount sufficient to provide for the payment, retirement, or redemption of the obligations being refunded, and requiring the State Treasurer to use said deposits and the proceeds therefrom for such payment, retirement or redemption; providing that all such deposits, and the proceeds therefrom, shall be kept and held separate and apart in escrow, and in trust, charged with a first lien in favor of the holders of the obligations to be paid therefrom, and protecting said deposits, and the proceeds therefrom, by the State Treasurer's official bonds: providing, in the alternative, for making

appropriate arrangements with the place of payment for such deposits and the payment, retirement, or redemption of the obligations being refunded; providing that, at the option of the Issuer, such obligations being refunded shall be discharged, and shall not be regarded as being outstanding, when the required deposits have been made hereunder, or, that the refunding bonds may be made subordinate to the obligations being refunded; providing that this Act shall be cumulative of all other laws on the subject, but shall prevail and control in the case of conflict with any other law; prescribing a severability provision; and declaring an emergency."

The Committee Amendment was read and was adopted.

On motion of Senator Longoria and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (29-2) Clower and Mauzy "Nay" (29-2) Clower and Mauzy "Nay"

S.B. 290 (Mauzy)--

Senator Mauzy offered the following Committee Amendment to the bill:

Amend S.B. 290, Section 1 thereof, by changing the period at the end of said Section to a comma and including the following provision:

" , if such reasonableness and necessity is substantiated by witness or witnesses."

The Committee Amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S.B. 302 (Hightower)--

Senator Hightower offered the following amendment to the bill:

Amend Senate Bill 302 by striking all below the enacting clause and adding the following:

"Section 1. Section 5, Chapter 328, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 5282a, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 5. The Board shall have the authority and power to make and enforce all rules and regulations necessary to the performance of its duties, to establish standards of conduct and ethics for public surveyors in keeping with the purposes and intent of this Act or to insure compliance with and enforcement of this Act. The violation by any surveyor of any provision of this Act or any rule or regulation of the Board shall be sufficient reason or ground to suspend or revoke the certificate of registration of such surveyor. In addition to any other action, proceeding, or remedy authorized by law, the Board shall have the right to institute an action in its own name against any person to enjoin any violation of this Act or any rule or regulation of the Board and in order for the Board to sustain such action it shall not be necessary to allege or prove, either that an adequate remedy at law does exist, or that substantial or irreparable damage would result from the continued violation thereof. An injunction suit may be brought in the district court of Travis County. Either party may appeal the decision of the district court. The Board shall not be required to give an appeal bond in any cause arising under this Act. The Attorney General shall represent the Board in all actions and proceedings to enforce the provisions of this Act.

At its first meeting it shall elect one (1) of its members as Chairman of

the Board, and he shall serve as such Chairman for such length of time, not exceeding his term as member of the Board, as the Board may prescribe. The Board may, for good cause and after hearing, remove a Chairman, but such removal as Chairman shall not affect the right of such member to serve on the Board for the remainder of his appointed term. Upon the death, resignation or removal of a Chairman, the Board shall elect a successor from among its members. Four (4) members of the Board shall constitute a quorum for the transaction of any of its business, and a majority of those present at any meeting may decide any question before the Board, provided, however, that the Chairman of the Board may not be removed as Chairman except by a vote of two-thirds (2/3) of the members of the Board at a meeting called for that purpose. The Board may adopt such reasonable rules and regulations for the orderly conduct of its affairs as it may deem necessary, and may from time to time amend such rules and regulations.

"The first Board appointed under the provisions of this Act shall hold its first meeting within thirty (30) days after the members have been qualified. It shall hold at least two (2) regular meetings each year at such time and places as the Chairman may designate. It may hold special meetings at such times and places as a majority thereof may deem necessary after giving reasonable notice thereof to all the members. The Board is authorized to employ an Executive Secretary who shall devote full time to his work and shall have such duties and responsibilities as the Board may prescribe. The Board is authorized to employ such other persons as it may deem necessary to administer the provisions of this Act. The salaries of the Secretary and all other employees of the Board shall be fixed by the Board, and shall be paid out of the Registered Public Surveyors' Fund as provided for in this Act. All salaries paid by the Board shall be reasonably comparable in amount to salaries paid by other departments of the state government to employees engaged in similar capacities. All persons employed by the Board shall hold their positions at the pleasure of the Board. Each member of the Board shall receive the sum of Twenty-Five Dollars (\$25.00) per day for each day he is actually engaged in the discharge of his duties as such member, including time spent in necessary travel, together with all legitimate expenses incurred in the performance of such duties. All payments to Board members or employees, and all expenses of the administration of this Act, shall be paid out of the Registered Public Surveyors' Fund provided for herein, and no part of the expense of administering this Act shall ever be a charge against the General Funds of the State of Texas. The Board shall arrange for such suitable office space and equipment as it may deem necessary and the rental for such office space and the cost of such equipment shall be considered administration expense. The Board shall, as of December 31, of each year after the passage of this Act, make a written report to the Governor accounting for all receipts and disbursements under this Act. A roster showing the names and places of business of all Registered Public Surveyors shall be prepared by the Secretary of the Board during the month of July of each year. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public upon request."

Sec. 2. Subsection (c), Section 6, Chapter 328, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 5282a, Vernon's Texas Civil Statutes), is amended to read as follows:

"(c) All persons who apply to take, and successfully pass, an examination given by the Board to determine the fitness and qualification of the person examined shall be qualified for registration. Such examination shall be written and oral, and shall be designed to reflect knowledge and ability on the part of the applicant, showing to the Board that he is qualified to be placed in charge of surveying work. The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified to be admitted to examination as a public surveyor:

"(1) The applicant is more than twenty-one (21) years of age.

"(2) The applicant is of good character and reputation.

"(3) The applicant has satisfied one of the following educational and experience requirements:

"(A) has successfully completed a full four-(4) year course of study in land surveying or civil engineering at an accredited college or university leading to a bachelor's or higher degree and has a specific experience record of two (2) or more years as a subordinate to a registered public surveyor or a person qualified in land surveying in the active practice of land surveying, of a character indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying work performed; or

"(B) has successfully completed a full four-(4) year course of study other than land surveying or civil engineering at an accredited college or university leading to a bachelor's or higher degree and has a specific experience of four (4) or more years as a subordinate to a registered public surveyor or a person qualified in land surveying in the active practice of land surveying, of a character indicating the applicant was in responsible charge of the accuracy and correctness of the surveying work performed. The course of study shall have included not less than thirty-two (32) semester hours of study or its academic equivalent, in any combination of courses in civil engineering, land surveying, mathematics, photogrammetry, forestry, or land law and the physical sciences; or

"(C) has successfully completed a course of study in land surveying or Board approved survey-related courses at an accredited college or university of thirty-two (32) semester hours of study, or its academic equivalent, and has a specific experience record of six (6) or more years as a subordinate to a registered public surveyor or a person qualified in land surveying, five (5) years of which shall be in the active practice of land surveying, of a character indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying work performed; or

"(D) is a graduate of an accredited high school and has a specific experience record of six (6) or more years as a subordinate to a registered public surveyor or a person qualified in land surveying in the active practice of land surveying, of a character indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying work performed. Applicants under this subsection without the college or university credits listed in Paragraph (A), (B), or (C) must show they have become self-educated in the surveying field.

"Any person desiring to register as a Public Surveyor shall file with the Board an application therefor in writing, accompanying the application with a registration fee, the amount to be determined by the Board but in no event to exceed Fifty Dollars (\$50). If the Board finds that the applicant is qualified to register without examination as herein provided for, it shall issue to him a Certificate of Registration and assign to him a registration number which shall not thereafter be assigned to, nor used by any other surveyor. Such number shall be placed on the Certificate of Registration and recorded in the permanent records of the Board, and shall constitute the registration number of such surveyor and shall be used by him on all his official documents. The Certificate of Registration shall also show the full name of registrant and shall be signed by the Chairman and Secretary of the Board. If the Board finds that an applicant is not qualified to be registered at the time of making his application, but is qualified to take an examination, it shall set a time and name a place for the applicant to take such examination. Upon passing the examination to the satisfaction of the Board, the applicant shall be entitled to a Certificate of Registration as hereinabove provided.

"Applications for registration shall be on forms prescribed and furnished by the Board, shall contain statements made under oath, showing the applicant's education and a detailed summary of his technical work, and shall contain not less than five (5) references, of whom three (3) or more shall be surveyors having personal knowledge of his surveying experience. The scope of the examinations and the methods of procedure shall be prescribed by the Board with special reference to the applicant's ability which shall insure safety to the public welfare and property rights. A candidate failing an examination may apply for re-examination at the expiration of six (6) months and will be re-examined without payment of additional fee. Provided, that after the first

re-examination, each candidate wishing further re-examinations shall submit a new application accompanied by a fee of Fifty Dollars (\$50) for each such re-examination.

"All Certificates of Registration shall expire on the last day of the month of December, following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the Secretary of the Board to notify every person registered under this Act of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one (1) year; such notice shall be mailed at least one (1) month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of a fee to be set by the Board but not to exceed \$25.00. The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December shall be increased ten per cent (10%) for each month or fraction of the month that renewal payment is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee; and provided further that if such failure to renew shall continue for more than one (1) year after the date of expiration of the registration certificate, the applicant must reapply for registration and must qualify under the foregoing provisions of this section before being registered. All renewal certificates shall carry the same registration number as the original certificate. All original and renewal Certificates of Registration shall be evidence that the person whose name and registration number appears thereon is qualified to practice as a Registered Public Surveyor so long as such Certificate is valid and in force. Each registrant hereunder shall, upon receiving his Certificate of Registration, obtain a seal of the design authorized by the Board, bearing the registrant's name and number and the legend 'Registered Public Surveyor'; plats, field notes and reports prepared by a registrant or under his direction shall be stamped with the said seal when filed with public authorities or delivered to a private client. It shall be unlawful for anyone to stamp or seal any document with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued."

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S.B. 551 (Gammage and Brooks)--

Senator Gammage offered the following Committee Amendment to the bill:

Amend S.B. 551 by striking Sec. 2 of the bill and substituting in lieu thereof the following:

"Sec. 2. Section 373, Texas Probate Code, is amended by adding Subsection (c) to read as follows:

"(c) Partial Distribution. At any time after the original grant of letters testamentary or of administration, and the filing and approval of the inventory, the executor or administrator, or the heirs, devisees, or legatees of the estate, or any of them, may, by written application filed in the court in



which the estate is pending, request a distribution of any portion of the estate. All interested parties shall be personally cited, as in other distributions, including known creditors. The court may upon proper citation and hearing distribute any portion of the estate it deems advisable. In the event a distribution is to be made to one or more heirs or devisees, and not to all the heirs or devisees, the court shall require a refunding bond in an amount to be determined by the court to be filed with the court, and upon its approval, the court shall order the distribution of that portion of the estate, unless such requirement is waived in writing and the waiver is filed with the court by all interested parties. This section shall apply to corpus as well as income, notwithstanding any other provisions of this Code."

The Committee Amendment was read and was adopted.

On motion of Senator Gammage and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0)(31-0)

S.B. 823 (Brooks)--

Senator Brooks offered the following amendment to the bill:

Amend S.B. 823 by renumbering Section 2 as Section 3 and adding a new Section 2 to read as follows:

"Sec. 2. Nothing in this Act shall prohibit the state from designating other institutions of higher education as special purpose institutions for urban programming nor shall this Act affect any institute for urban studies conducted by other institutions of higher education."

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0)(31-0)

S.B. 916 (Mengden)--

Senator Mengden offered the following Committee Amendment to the bill:

Amend S.B. 916 by substituting for Section B, Subsection (1) the following:

"(1) The right, power and authority to acquire surface and/or underground water supplies from sources both within and without the boundaries of the Authority and to conserve, store, transport, treat, purify, distribute, sell and deliver water, both surface and underground, to persons, corporations (public or private), municipal corporations, political subdivisions of the State of Texas, and others, within the boundaries of the Authority;"

The Committee Amendment was read and was adopted.

Senator Mengden offered the following Committee Amendment to the bill:

Amend S.B. 916 by adding thereto Section 5E to read as follows:

"The rights, powers, privileges, and functions herein granted to the Authority are subject to the powers granted to the Gulf Coast Waste Disposal Authority in Article 7621d-2, Vernon's Texas Civil Statutes, as amended, to provide disposal systems, and prior to acquiring or constructing waste treatment and disposal facilities, the Authority must acquire the consent of the Gulf Coast Waste Disposal Authority, or the Texas Water Quality Board if the

consent of the Gulf Coast Waste Disposal Authority is unreasonably withheld or delayed."

The Committee Amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0)(31-0)

S.B. 945 (Creighton)--

Senator Creighton offered the following Committee Amendment to the bill:

Amend S.B. 945 by adding Section 9 thereto as follows:

"Section 9. The importance of this legislation and the crowded conditions of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and adopted.

Senator Creighton offered the following Committee Amendment to the bill:

Amend S.B. 945 by striking the word "Slip" on Lines 5 and 24 of the Field Note Description, Section 4, and inserting in lieu thereof the word "Sлимп".

The Committee Amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0)(31-0)

S.B. 946 (Creighton)--

Senator Creighton offered the following Committee Amendment to the bill:

Amend S.B. 946 by adding Section 9 thereto as follows:

"Sec. 9. The importance of this legislation and the crowded conditions of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

Senator Creighton offered the following Committee Amendment to the bill:

Amend S.B. 946 by striking the word "Slip" on Line 5 of the Field Note Description, Section 4, and inserting in lieu thereof the word "Sлимп".

The Committee Amendment was read.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0)(31-0)

H.B. 1135 (Wolff)--

Senator Wolff offered the following Committee Amendment to the bill:

Amend H.B. 1135 by striking the phrase "not more than \$12,000 annually," and inserting in lieu thereof the phrase "\$12,000 annually subject to the provisions of Section 2 of this Act."

The Committee Amendment was read and was adopted.

Senator Wolff offered the following Committee Amendment to the bill:

Amend H.B. 1135 by inserting a new quoted Section 2 to read as follows:

"Section 2. The combined yearly salary rate from state and county sources of the judges of the district courts of Bexar County may not exceed an amount which is \$1,000 less than the combined yearly salary rate from state and county sources received by the judges of the Court of Civil Appeals in whose district Bexar County is located."

The Committee Amendment was read and was adopted.

Senator Wolff offered the following amendment to the bill:

Amend Engrossed House copy of H.B. 1135, page 1, lines 7, 8 and 9 to read as follows:

"Section 1. Sections 1 and 2, Chapter 165, Acts of the 58th Legislature, 1963, as amended (Article 6819a-19c, Vernon's Texas Civil Statutes), are amended to read as follows:"

The amendment was read and was adopted.

Senator Wolff offered the following amendment to the bill:

Amend H.B. 1135 by adding a new Sec. 2 of the bill to read as follows:

"Sec. 2. This Act shall be cumulative of existing laws, and any laws in conflict are repealed to the extent of conflict only."

and re-numbering subsequent sections accordingly.

The amendment was read and was adopted.

On motion of Senator Wolff and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0)(31-0)

H.B. 1358 (Blanchard)--

Senator Blanchard offered the following Committee Amendment to the bill:

Amend the Engrossed House Copy of H.B. 1358 by adding the following words after "Terry County" wherever those words appear in the bill:

", Garza County, and Dawson County, Texas,".

The Committee Amendment was read and was adopted.

Senator Adams offered the following amendment to the Committee Amendment to the bill:

Amend Committee Amendment No. 1 to H.B. 1358 by adding the words "Angelina County, Henderson County," before the words ", Garza County" and adding a comma after the words "Terry County" wherever they appear in H.B. 1358.

The amendment to the Committee Amendment was read and was adopted.

The Committee Amendment as amended was then adopted.

On motion of Senator Blanchard and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

#### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, May 10, 1973

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

All necessary rules suspended, and the Conference Committee report on House Bill 115 adopted by a vote of 123 Ayes, 0 Noes, with 5 Present-Not voting.

All necessary rules suspended, and the Conference Committee report on House Bill 166 adopted by a vote of 103 Ayes, 22 Noes.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill 642. House Conferees: Menefee, Chairman; Bailey, Jones of Harris, Hutchison and Fox.

S.C.R. 92, In memory of Miss Octavia F. Rogan.

S.J.R. 8, Proposing an amendment to Article III, Sections 5 and 24, of the Texas Constitution, as amended, to provide for annual regular sessions of the legislature of unlimited duration without separate periods, and to provide an annual salary and per diem for the members of the Legislature. (With amendment)

S.J.R. 12, Amending the Constitution of the State of Texas providing that certain counties and cities bordering on the Gulf of Mexico may levy a tax to pay for bonds issued for the construction of sea walls and breakwaters upon the vote of the majority of the residents.

S.J.R. 13, An Act proposing amendments to Article VIII, Section 1-a and 1-b, of the Texas Constitution, to extend the \$3,000 ad valorem tax exemption to the homesteads of unmarried adults. (With amendments)

H.C.R. 177, Making corrections in H.B. 417.

H.C.R. 173, Commemorating the founding of Saint Paul Methodist Church in the year 1873 and commending the Reverend Dr. Ira B. Loud.

H.C.R. 170, Congratulating the Honorable William P. Clements, Jr., on his appointment to the office of Deputy Secretary of Defense.

Respectfully submitted,

DOROTHY HALLMAN

Chief Clerk, House of Representatives

**CONCLUSION OF SESSION FOR LOCAL AND  
UNCONTESTED BILLS CALENDAR**

The Presiding Officer announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 9:37 o'clock a.m. adjourned until 10:00 o'clock a.m. today.

**SEVENTY-SECOND DAY  
(Thursday, May 10, 1973)**

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend John Auer, Pastor of St. Martin's Lutheran Church, Austin, Texas, offered the invocation as follows:

Dear Heavenly Father, the more and more we look about ourselves in this troubled and confused world of today the more we see the need of bringing You into our lives to give purpose and meaning.

We are thankful that in Your wisdom and love You have ordained government as one of your servants to bring peace and order to these trembling times.

We pray today that You will strengthen every member of this Senate to serve as a faithful steward of government, and that each member will sense anew the responsibilities that are so pressing in this complex society.

It is so easy for us to forget you, Lord. Don't let it happen to us. Rather we pray, give us the vision of our task that we may see what is to be done and finally the conviction and determination to do it to Your honor and to Your glory.

In the precious Name of Jesus our Savior we pray. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, May 10, 1973